



herein, he was employed by his co-defendants, Knox County and Knox County Sheriff's Department, as an officer. Further, at all material times hereto, Blakely was acting under color of State law. Defendant, Officer Caleb Bartlett, (hereinafter "Bartlett") is, upon information and belief, a citizen and resident of Knox County, Tennessee. At all material times herein, he was employed by his co-defendants, Knox County and Knox County Sheriff's Department, as an officer. Further, at all material times hereto, Bartlett was acting under color of State law. Defendant unknown John Doe # 1, is believed to be, upon information and belief, a citizen and resident of Knox County, Tennessee. This officer is not identified in the public record of the incident which forms the gravamen of this suit. Therefore, he cannot be identified at this time but Plaintiff reserves the right to amend this Complaint once his identity is disclosed "At all material times, etc.";

5. Plaintiff avers that on February 5, 2022, at approximately 3:38 a.m., at 947 Dora Rose Road, Knoxville, Tennessee, Whitney Davis and her friend, attorney Michael Callan, had entered into a verbal altercation that escalated into a physical altercation;

6. Ms. Davis called out for her Amazon device "Alexa" to call the police;

7. The Defendants, Sheriff's Officers, Tucker Blakely and Caleb Bartlett (and John Doe # 1) arrived on scene after the call was made to 911. It is not known whether the Alexa device made the call;

8. Shortly thereafter, Plaintiff arrived at the home of his cousin, Whitney Davis, and shortly thereafter, Plaintiff saw that the Defendants, Tucker Blakely, Caleb Bartlett, and John Doe # 1, arrived and escalated the situation, rather than doing what a reasonable, prudent, law enforcement officer would do to de-escalate the situation. Plaintiff attempted to video the officers' aggressiveness, but was unlawfully secured by the officers. After being secured, for no

apparent reason, Plaintiff was tased twice after he was tackled and thrown to the ground and unlawfully taken into custody without probable cause or reasonable suspicion of committing any crime. Upon information and belief, he was charged with assault on a first responder (T.C.A. 39-13-116 (a)) and resisting arrest.

9. A set of “back-up” officers arrived and apologized for the aggressive actions of the previous officers;

10. Defendant Blakely’s Affidavit of Complaint states that there had been a previous call from dispatch where the assailant had the “same name,” and had the same description, “a white man in a green shirt waving a gun” at a “nearby business.” However, Plaintiff avers that neither the names Mark Callan nor Dillion Foster can be considered common names in East Tennessee. Further, the ‘nearby business,’ was the Waffle House. The Affidavit of Complaint conveniently fails to distinguish whose name was the “same name” as the assailant’s name from the Waffle House disturbance call;

11. On or about February 5, 2022, officers placed the Plaintiff on the ground, who was not involved in the domestic incident or doing anything, “in order to gain better control of him.” Then, **after** gaining “better control” over Mr. Foster, the officers decided to tase him twice, apparently for the fun of it, much in the same manner that former officers of the Memphis Police Department “tased” Tyree Nichols. Defendant Blakely claims that after being under “better control,” that Mr. Foster “threw his cell phone.” However, that never occurred. Mr. Foster never threw his phone at anyone;

12. As the direct result of the incident described above, an arrest warrant was issued for the Plaintiff, evidenced by the Affidavit of Complaint that is attached hereto and

incorporated herewith as Exhibit 1 to this Complaint. The affidavit of complaint made by Defendant Blakely falsely stated that Plaintiff threw his phone at the officer;

13. On or about August 31, 2022, all charges against Plaintiff were dismissed because they were frivolous;

14. Plaintiff incorporates paragraphs 1-13, inclusive, of the premises to this Complaint. Plaintiff avers that the affidavit of complaint was falsified, that Plaintiff did not throw his phone at the officer, and that all charges against Plaintiff were frivolous and ultimately dismissed. As a result, Plaintiff specifically avers that his Fourth Amendment and Fourteenth Amendment rights were violated, as a direct and proximate result of the wrongful arrest aforesaid, and, further, that he has remedies for such arrest and malicious prosecution as granted by **42 U.S.C. §§ 1983 and 1988 and the Fourth Amendment of the United States Constitution**;

15. Plaintiff, further, avers that, unlike the plaintiff in *Virginia v. Moore*, 553 U.S. 164, (2008), there was not even reasonable suspicion, much less probable cause, to arrest Plaintiff herein;

16. Plaintiff incorporates Paragraphs 1 through 15, inclusive, of the premises to this Complaint. Plaintiff, again, avers that the individual defendants were, at all material times herein, employed by the respective municipal defendants as set forth above, being employed by the respective municipalities' law enforcement agencies as described above, and at all times material hereto, were acting under color of State law;

17. Plaintiff incorporates Paragraphs 1 through 16, inclusive, of the premises to this Complaint. Plaintiff avers that these individual defendants, as employees of their respective entities, received such inferior training, and/or were guided by either no policies or inferior,

constitutionally-suspect policies promulgated by their employers, regarding the determination of probable cause for and reasonable suspicion for arrest, tasing and continuing the prosecution of persons in the same or similar circumstances of the plaintiff;

As a direct and proximate result of the individual defendants having received such inferior training and/or being guided by no policies or inferior, constitutionally suspect policies regarding determination of probable cause to arrest, tase and continue prosecution, Plaintiff sustained a deprivation of his civil rights, allowing him damages under **42 U.S.C. §§ 1983 and 1988, and the Fourth Amendment of the United States Constitution;**

18. Plaintiff incorporates Paragraphs 1 through 17, inclusive, of the premises to this Complaint. Plaintiff avers that the individual defendants, at all material times herein, and particularly in their unlawful, illegal arrest, illegal tasing and illegal malicious prosecution were not, contrary to what is usual, cloaked with qualified immunity. In support thereof, Plaintiff further avers (a) that a reasonable prudent law enforcement officer in the same or similar circumstances would not have so acted and (b) Plaintiff is entitled to the right to be free from unlawful arrest, excessive force and prosecution as a Federal Constitutional right;

19. Plaintiff, further, avers that the **Fourth Amendment** and the Due Process clause of the **Fourteenth Amendment** rights to be free from an illegal arrest, search, seizure, tase, prosecution, and detention are clearly established, sufficiently clear, and that, in the situation sub judice, the individual defendants, jointly and severally, who again, were then and there, acting as employees of their co-defendants, Knox County and Knox County Sheriff's Department, under color of state law, absolutely knew, as reasonable police officers, what they were doing in illegally arresting, tasing, searching, detaining and prosecuting Plaintiff without probable cause, and that they were violating Plaintiff's individual Fourth Amendment and

Fourteenth Amendment right(s) to be free from unwanted searches, detentions, seizures and prosecution;

20. Plaintiff incorporates Paragraphs 1 through 19, inclusive, of the premises to this Complaint. Plaintiff avers that the basis for arresting him—that he was resisting the officers’ commands and assaulting a first responder—was wholly subjective and not objective and that a reasonable officer would not institute an arrest, use excessive force and continue prosecution with no probable cause based upon the facts herein. Further, the Plaintiff avers that he never threw his cell phone at the officer, and that Blakely’s statement that Plaintiff was restrained to gain “better control,” is in stark contrast with any factual account that Plaintiff was able to throw a phone while being restrained. There simply is no evidence to justify probable cause for an arrest, use of excessive force, seizure, and continued prosecution. Moreover, Blakely’s affidavit of complaint falsely states that Plaintiff threw his cell phone at him while he was being restrained, in order to justify Blakely’s own aberrant behavior in unlawfully seizing, detaining, and tasing (twice) the Plaintiff by using excessive force;

Because the arrest, detention, and seizure of the Plaintiff were performed under the color of state law, and violated a clearly established **Fourth Amendment** principle and the Due Process clause of the **Fourteenth Amendment**, principles of which a reasonable person was expected to have knowledge, and especially a reasonable police officer, plaintiff avers that the individual Defendants lack qualified immunity hereunder;

This seizure, also being performed under the color of state law, violated clearly established **Fourth Amendment and Fourteenth Amendment** principles of which a reasonable police officer was expected to have knowledge. Therefore, the Plaintiff avers that neither

Defendant may shield themselves with the cloak of qualified immunity for their actions *vis a vis* the illegal arrest, detention, seizure, and prosecution of the Plaintiff;

21. Plaintiff incorporates paragraph 1 through 20 inclusive, of the premises of this Complaint. Plaintiff avers, in the Sixth (6th) Circuit, the question as to whether there was probable cause to effect an arrest is wholly for the fact finder, unless there is only one reasonable determination possible. See *Pyles v. Raisor*, 60 F. 3d, 1211, 1215 (6th Cir. 1995);

22. Plaintiff incorporates paragraphs 1 through 21 inclusive, of the premises of this Complaint. Plaintiff restates that the constitutional violations—particularly the **Fourth Amendment** and **Fourteenth Amendment Due Process** violation of his respective freedom from unwanted searches, seizures, and arrest, committed by the Defendants, jointly, and severally, as described above—while (a) each defendant, jointly and severally, was acting under color of state law, (b) no defendants, jointly and severally, were cloaked with qualified immunity, (c) there was neither reasonable suspicion, much less probable cause, to arrest Plaintiff for attempting to video a constitutional infringement taking place in front of him and (d) all defendants were either (1) operating under non-existing policies and procedures regarding such an arrest and (2) if such procedures were in effect, the same were inadequate to protect the constitutional rights of persons such as the Plaintiff, directly and proximately caused damages to the Plaintiffs and grants him rights under **42 U.S.C. §§ 1983 and 1988** and its companion statutes to seek damages for the violation of his civil rights as set forth above;

23. Plaintiff avers that, as a direct and proximate cause of the violations of his civil rights as set forth above, he has sustained damages, including, but not limited to, damage to his reputation in the community, damages for humiliation, damages for embarrassment and emotional distress, pain and suffering, and special damages in the form of payment of attorney's

fees for representation in a dismissed frivolous criminal case, as well as appearance bonds and court costs directly and proximately resulting from his wrongful arrest and detention, and wrongful malicious prosecution jointly and severally, and other general damages, plus attorney's fees as allowed under **42 U.S.C. §1988**;

24. Plaintiff incorporates the allegations set forth in paragraphs 1 through 23 inclusive, of the premises of this Complaint. As described above, the conduct of Defendants, jointly and severally, on February 5, 2022, at 947 Dora Rose Road, Knoxville, Tennessee, was extreme and outrageous, including using malicious and excessive force against Plaintiff without limitation and without provocation or justification, causing Plaintiff to be unlawfully apprehended and detained and then tased twice without any act of violence or threat toward Defendants or any other officer, civilian, or person at the scene. Further, the acts of the Defendants, jointly and severally were extreme and outrageous against Plaintiff, causing him to be unlawfully apprehended and detained without probable cause;

25. Plaintiff avers that the Defendants either intended to inflict emotional distress upon Plaintiff when engaging in the above described, or knew that there was a high probability that such conduct would result in such distress. As a consequence of this extreme and outrageous conduct—made all the more outrageous because it was perpetrated with the imprimatur of police authority and the powers of the state to arrest—Plaintiff suffered severely, resulting in economic and non-economic damages including, but not limited to: depression, loss of interest and ability to engage in day-to-day activities, anxiety, and fear of future interactions with law enforcement. Defendants' conduct caused Plaintiff to suffer severe emotional distress that no reasonable person could be expected to endure. The conduct of all officers and Defendants was outrageous;



26. Finally, Plaintiff incorporates Paragraphs 1 through 25, inclusive, of the premises to this Complaint. Plaintiff avers that on or about August 31, 2022, all charges against Plaintiff were dismissed. The Defendants intentionally initiated and pursued a cause of action against Plaintiff, without probable cause and with malice. The prosecution by the state ended without a conviction and with dismissal. Plaintiff avers that these prosecutions were (a) initiated by Defendants, jointly and severally, (b) The case terminated in Plaintiffs “favor”; (c) the prosecutions were without probable cause and with malice; and (d) that the Defendants, jointly and severally, committed Federal malicious prosecution, and as a direct and proximate result, Plaintiff sustained damages.

**WHEREFORE**, Plaintiff demands judgment against the defendants, jointly and severally, for the sum of Two Million (\$2,000,000.00) dollars for compensatory damages under **42 U.S.C. § 1983 and the Fourth Amendment of the United States Constitution and all other applicable Federal laws**, for attorney’s fees and any expert witness costs, under **42 U.S.C. § 1988**, and for reimbursement of any court costs advanced in this case. Plaintiff request that this Court grant him the following relief, jointly and severally against the named defendants:

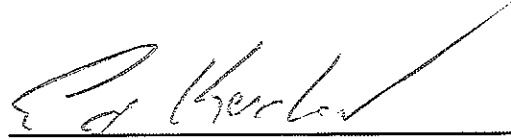
- A. judgment for compensatory damages against all defendants in the above-listed amount or an amount to be determined at trial.
- B. judgment for punitive damages against all defendants in the above-listed amount or an amount to be determined at trial.
- C. an award of the costs of this action against all defendants, including reasonable attorneys’ fees, in accordance with 42 U.S.C. § 1988 and/or 18 U.S.C. §1964(c).
- D. for any such other, further, and general relief as this Court may grant.

Plaintiff demands a jury to try this case.

**Respectfully Submitted,**

**DILLION FOSTER**

BY:



**EDWARD KERSHAW, BPR No.: 016775**

*Attorney for Plaintiff*

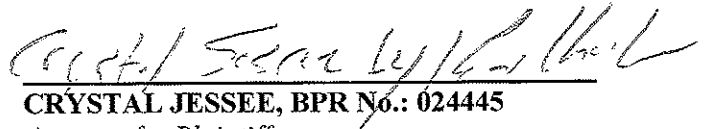
EK Law, PC

131 South Main Street, Suite 102

Greeneville, Tennessee 37743

(423) 620-0219

[admin@eklawpc.net](mailto:admin@eklawpc.net)



**CRYSTAL JESSEE, BPR No.: 024445**

*Attorney for Plaintiff*

Jessee Law Office

P.O. Box 1537

Greeneville, TN 37744

(423) 638-4006

[crystaljessee@jesseelawoffice.com](mailto:crystaljessee@jesseelawoffice.com)

# AFFIDAVIT OF COMPLAINT

DEFENDANT: DILLION FOSTER (ALIAS) - IDN 1533542

AFFIANT: TUCKER BLAKELY - IDN 1474704

THE AFFIANT, AFTER FIRST BEING DULY SWORN ACCORDING TO LAW, STATES THAT A CRIMINAL OFFENSE HAS BEEN COMMITTED IN KNOX COUNTY, TENNESSEE, BY THE DEFENDANT. FURTHER, AFFIANT MAKES OATH THAT THE ESSENTIAL FACTS CONSTITUTING THE SAID OFFENSE ARE AS FOLLOWS:

THE DEFENDANT COMMITTED THE OFFENSE OF ASSAULT ON FIRST RESPONDER, IN VIOLATION OF TCA SECTION 39-13-116(A). ON 02/05/2022 AT APPROXIMATELY 0338 HOURS OFFICERS WERE DISPATCHED TO A DOMESTIC DISTURBANCE IN PROGRESS AT 947 DORA ROSE RD. THE SUSPECT WAS DESCRIBED AS A WHITE MALE IN A GREEN SHIRT AND OFFICERS WERE TOLD HE HAD A GUN. SHORTLY BEFORE, OFFICERS HAD BEEN DISPATCHED TO A NEARBY BUSINESS FOR REPORTS OF A WHITE MALE IN A GREEN SHIRT WAVING A GUN. THE CALLER FROM THE PREVIOUS CALL AND THE VICTIM AT 947 DORA ROSE RD HAD THE SAME NAME AND DESCRIPTION. OFFICERS BELIEVED THE TWO CALLS MAY BE RELATED.

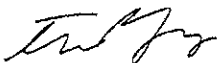
OFFICERS ARRIVED AT 947 DORA ROSE AND MADE CONTACT WITH SEVERAL INDIVIDUALS OUTSIDE THE HOME. ON SCENE OFFICERS STATED A FEMALE, STACEY FOSTER (WITNESS) SAID, "HE'S GOT A GUN." OFFICERS ATTEMPTED TO DETAIN ALL INDIVIDUALS AT THIS TIME IN ORDER TO SAFELY CONDUCT THEIR INVESTIGATION. WHILE ATTEMPTING TO SECURE THE SCENE, DILLION FOSTER (ARRESTEE) OPENED THE REAR RIGHT DOOR OF THE LISTED VEHICLE. I IMMEDIATELY INSTRUCTED DILLION IN A LOUD, CLEAR VOICE TO STEP AWAY FROM THE VEHICLE. DILLION CONTINUED TO REACH INTO THE VEHICLE, PROMPTING OFFICERS TO TAKE PHYSICAL CONTROL OF HIM AND ATTEMPT TO DETAIN HIM FOR OFFICER SAFETY. DILLION IMMEDIATELY BEGAN TO RESIST OFFICERS BY PULLING AWAY IN AN EFFORT TO NOT BE DETAINED. OFFICERS PLACED DILLION ON THE GROUND IN ORDER TO GAIN BETTER CONTROL OF HIM. I GAVE LOUD VERBAL COMMANDS FOR DILLION TO ROLL ONTO HIS STOMACH AND PLACE HIS HANDS BEHIND HIS BACK. DILLION CONTINUED TO IGNORE MY DIRECTIVES AND PHYSICALLY RESIST OFFICERS. I DREW MY COUNTY ISSUED TASER (S/N X1200ETOM) AND INSTRUCTED DILLION TO STOP RESISTING OFFICERS OR HE WOULD BE TASED. DILLION THEN THREW HIS CELL PHONE AT ME, WHICH STRUCK ME IN MY TORSO. I DEPLOYED MY COUNTY ISSUED TASER (C/N C21066586) AT THIS TIME TO DILLION'S UPPER BACK AND DRIVE STUNNED HIS LOWER BACK IN ORDER TO COMPLETE THE NEUROMUSCULAR INCAPACITATION CYCLE. ONE FIVE SECOND CYCLE WAS ADMINISTERED. THE TASER WAS EFFECTIVE, AND DILLION WAS TAKEN INTO CUSTODY.

ONCE THE SCENE WAS SECURE, OFFICERS BEGAN TO INVESTIGATE THE DOMESTIC DISTURBANCE. UPON ENTERING THE RESIDENCE, THREE .22LR BULLETS WERE SEEN ON THE FLOOR BY THE FRONT DOOR. OFFICERS SPOKE WITH MICHAEL CALLAN (VICTIM) WHO STATED THAT HIM AND HIS GIRLFRIEND WHITNEY DAVIS (ARRESTEE) WENT OUT DRINKING EARLIER IN THE NIGHT. MICHAEL STATED THEY HAD TOO MUCH TO DRINK AND WHITNEY FELL, SCRAPING HER HANDS AND STRIKING HER FACE. MICHAEL STATED THEY BEGAN TO ARGUE WHEN THEY GOT HOME. MICHAEL SAID THAT DURING THE ARGUMENT, WHITNEY SAID SHE WAS GOING TO KILL HERSELF WITH THE LISTED FIREARM. MICHAEL SAID WHITNEY GRABBED THE FIREARM AND AMMUNITION, HE THEN TOOK THE FIREARM AND HAD IT. MICHAEL SAID WHITNEY BECAME IRATE AND BEGAN TO BITE DOWN ON HIS LEG AT THIS TIME. MICHAEL DID ADMIT HE STRUCK WHITNEY IN HER FACIAL REGION IN ORDER TO GET HER TO STOP BITING HIM. MICHAEL DID HAVE BITE MARKS ON HIS LEG. OFFICERS LOCATED THE FIREARM IN A NEARBY CLOSET, CORROBORATING MICHAEL'S STATEMENT.

WHITNEY WOULD NOT SPEAK WITH OFFICERS ABOUT WHAT HAPPENED. WHITNEY SIMPLY STATED THAT MICHAEL HAD ATTEMPTED TO STRANGLE HER AND PUT HIS FOOT ON HER NECK. WHITNEY HAD NO MARKS ON HER NECK. WHITNEY DID HAVE MARKS ON HER FACE, BUT STATED THEY CAME FROM HER FALLING DOWN EARLIER IN THE NIGHT. WHITNEY ALSO HAD SCRAPES ON HER HANDS AND KNEES, CONSISTENT WITH THE FALL. OFFICERS DETERMINED WHITNEY WAS THE PRIMARY AGGRESSOR, AND SHE WAS TAKEN INTO CUSTODY FOR DOMESTIC ASSAULT.

OFFICERS SEIZED THE LISTED FIREARM DUE TO WHITNEY'S ALLEGED STATEMENTS OF SELF-HARM. THE FIREARM WAS RETRIEVED BY THE FORENSICS UNIT. PICTURES OF THE INJURIES FROM BOTH PARTIES WERE DOCUMENT AND ALSO THE AMMUNITION WAS COLLECTED BY THE FORENSICS UNIT. A CITATION WAS NOT ISSUED BECAUSE LIKELY THE OFFENSE WILL CONTINUE.


The defendant is hereby instructed that if the defendant's charge is dismissed, a no true bill is returned by a grand jury, the defendant is arrested and released without being charged with an offense, or the court enters a nolle prosequi in the defendant's case, the defendant is entitled, upon petition by the defendant to the court having jurisdiction over the action, to the removal and destruction of all public records relating to the case without cost to the defendant.



TUCKER BLAKELY, AFFIANT

Phone #: N/A

Personally sworn to and subscribed by the affiant before me this  
05th day of February, 2022.

  
DUSTIN SEAN DUNHAM, Magistrate

## ARREST WARRANT @1430324

### TO THE DEFENDANT:

Dillion Foster (ALIAS), based on the affidavit of complaint filed in this case, there is probable cause to believe that, in violation of T.C.A. §39-13-116(A), you have committed the offense of ASSAULT ON FIRST RESPONDER, Class A Misdemeanor.

### TO THE LAWFUL OFFICER:

You are therefore commanded in the name of the State of Tennessee to immediately arrest the defendant named above and bring the defendant to this court to answer the charges.

Issued this 05th day of February, 2022.

### WITNESSES

  
DUSTIN SEAN DUNHAM, Magistrate

WHITNEY DAVIS - 1533543

(606)310-1505

947 DORA ROSE RD KNOXVILLE TN 37932

CO-DEFENDANT

CALEB BARTLETT - 1461067

KCSD 400 MAIN STREET KNOXVILLE TN 37902

OFFICER

Agency: KCSO

Incident # 2202050344

# UNITED STATES DISTRICT COURT

for the

Eastern District of Tennessee

DILLION FOSTER

Plaintiff(s)

v.

KNOX COUNTY, TENNESSEE, ET AL

Defendant(s)

Civil Action No.

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* KNOX COUNTY, TENNESSEE

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Edward L. Kershaw, EK LAW, PC, 131 South Main Street, Greeneville, TN 37743

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: \_\_\_\_\_

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other *(specify)*: \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0 .

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc: \_\_\_\_\_

## UNITED STATES DISTRICT COURT

for the

Eastern District of Tennessee

DILLION FOSTER

Plaintiff(s)

v.

KNOX COUNTY SHERIFF'S DEPARTMENT

Defendant(s)

Civil Action No.

## SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) KNOX COUNTY SHERIFF'S DEPARTMENT

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Edward L. Kershaw, EK LAW, PC, 131 South Main Street, Greeneville, TN 37743

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: \_\_\_\_\_

Signature of Clerk or Deputy Clerk

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other *(specify)*: \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0 \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT

for the

Eastern District of Tennessee

DILLION FOSTER

Plaintiff(s)

v.

OFFICER TUCKER BLAKELY, individually and in his  
capacity as an officer

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) OFFICER TUCKER BLAKELY

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Edward L. Kershaw, EK LAW, PC, 131 South Main Street, Greeneville, TN 37743

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date:

Signature of Clerk or Deputy Clerk



Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other *(specify)*: \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0 \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

# UNITED STATES DISTRICT COURT

for the

Eastern District of Tennessee

DILLION FOSTER

Plaintiff(s)

v.

OFFICER CALEB BARTLETT, individually and in his  
capacity as an officer

Defendant(s)

Civil Action No.

## SUMMONS IN A CIVIL ACTION

To: *(Defendant's name and address)* OFFICER CALEB BARTLETT

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Edward L. Kershaw, EK LAW, PC, 131 South Main Street, Greeneville, TN 37743

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: \_\_\_\_\_

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other *(specify)*: \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0 \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_  
\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT

for the

Eastern District of Tennessee

DILLION FOSTER

Plaintiff(s)

v.

OFFICER JOHN DOE #1, individually and in his capacity as an officer

Defendant(s)

Civil Action No.

## SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) OFFICER JOHN DOE #1

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are: Edward L. Kershaw, EK LAW, PC, 131 South Main Street, Greeneville, TN 37743

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

CLERK OF COURT

Date: \_\_\_\_\_

Signature of Clerk or Deputy Clerk

Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_.

☐ I personally served the summons on the individual at *(place)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_; or

☐ I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_, and mailed a copy to the individual's last known address; or

☐ I served the summons on *(name of individual)* \_\_\_\_\_, who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
on *(date)* \_\_\_\_\_; or

☐ I returned the summons unexecuted because \_\_\_\_\_; or

☐ Other *(specify)*: \_\_\_\_\_

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ 0 \_\_\_\_\_.

I declare under penalty of perjury that this information is true.

Date: \_\_\_\_\_  
\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc:

